

---

---

## SENATE BILL No. 3

---

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-18-2-14; IC 16-34-2-1.5.

**Synopsis:** Abortions in surgical centers. Provides that a first trimester abortion may be performed in an institution that is established, equipped, and operated primarily for the purpose of performing surgical procedures and services only if the institution is licensed as an ambulatory outpatient surgical center.

**Effective:** January 1, 2002.

---

---

**Adams K, Mrvan**

---

---

January 8, 2001, read first time and referred to Committee on Health and Provider Services.

---

---

C  
o  
p  
y



First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE BILL No. 3

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-18-2-14 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 14. "Ambulatory  
3 outpatient surgical center" ~~for purposes of IC 16-21~~ means a public or  
4 private institution that meets the following conditions:

5 (1) Is established, equipped, and operated primarily for the  
6 purpose of performing surgical procedures and services.

7 (2) Is operated under the supervision of at least one (1) licensed  
8 physician or under the supervision of the governing board of the  
9 hospital if the center is affiliated with a hospital.

10 (3) Permits a surgical procedure to be performed only by a  
11 physician, dentist, or podiatrist who meets the following  
12 conditions:

13 (A) Is qualified by education and training to perform the  
14 surgical procedure.

15 (B) Is legally authorized to perform the procedure.

16 (C) Is privileged to perform surgical procedures in at least one  
17 (1) hospital within the county or an Indiana county adjacent to



C  
o  
p  
y

the county in which the ambulatory outpatient surgical center is located.

(D) Is admitted to the open staff of the ambulatory outpatient surgical center.

(4) Requires that a licensed physician with specialized training or experience in the administration of an anesthetic supervise the administration of the anesthetic to a patient and remain present in the facility during the surgical procedure, except when only a local infiltration anesthetic is administered.

(5) Provides at least one (1) operating room and, if anesthetics other than local infiltration anesthetics are administered, at least one (1) postanesthesia recovery room.

(6) Is equipped to perform diagnostic x-ray and laboratory examinations required in connection with any surgery performed.

(7) Does not provide accommodations for patient stays of longer than twenty-four (24) hours.

(8) Provides full-time services of registered and licensed nurses for the professional care of the patients in the postanesthesia recovery room.

(9) Has available the necessary equipment and trained personnel to handle foreseeable emergencies such as a defibrillator for cardiac arrest, a tracheotomy set for airway obstructions, and a blood bank or other blood supply.

(10) Maintains a written agreement with at least one (1) hospital for immediate acceptance of patients who develop complications or require postoperative confinement.

(11) Provides for the periodic review of the center and the center's operations by a committee of at least three (3) licensed physicians having no financial connections with the center.

(12) Maintains adequate medical records for each patient.

(13) Meets all additional minimum requirements as established by the state department for building and equipment requirements.

(14) Meets the rules and other requirements established by the state department for the health, safety, and welfare of the patients.

SECTION 2. IC 16-34-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: **Sec. 1.5. (a) This section does not apply to a hospital licensed under IC 16-21.**

**(b) In addition to the requirements under section 1(a)(1) of this chapter, if a first trimester abortion is performed in an institution described in IC 16-18-2-14(1), the institution must be licensed as an ambulatory outpatient surgical center under IC 16-21.**

